

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,
 Individual and Representative
 Plaintiffs,
 v.
 META PLATFORMS, INC., a Delaware
 corporation;
 Defendant.

Case No. 3:23-cv-03417-VC

**DEFENDANT META PLATFORMS, INC.'S
 AMENDED OBJECTIONS AND RESPONSES TO
 PLAINTIFFS' FIRST SET OF REQUESTS FOR
 ADMISSIONS**

PROPOUNDING PARTY: PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH

RESPONDING PARTY: DEFENDANT META PLATFORMS, INC.

SET NUMBER: ONE

Pursuant to Rule 36 of the Federal Rules of Civil Procedure (“Rules”), Defendant Meta Platforms, Inc. (“Meta”) responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and Christopher Farnsworth’s First Set of Requests for Admissions (“Requests”).

I. RESPONSES TO ALL REQUESTS

1. Meta’s responses to the Requests are made to the best of Meta’s present knowledge, information, and belief. Said responses are at all times subject to such additional or different information that discovery or further investigation may disclose, and Meta reserves the right to amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

2. To the extent that Meta responds to Plaintiff’s Requests by stating that Meta will provide information and/or documents which Meta or any other party to this litigation deems to embody material that is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure pursuant to Rule 26(c)(7) or Federal Rule of Evidence 501, Meta will do so pursuant to the Stipulated Protective Order entered in this case (Dkt. 90).

3. The provision of a response to any of these Requests does not constitute a waiver of any objection regarding the use of said response in these proceedings. Meta reserves all objections or other questions as to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action for any purpose whatsoever of this response and any document or thing produced in response to the Requests.

4. Meta reserves the right to object on any ground at any time to such other or supplemental requests for admission that Plaintiffs may propound involving or relating to the subject matter of these Requests.

II. OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Whether or not separately set forth in response to each Request, Meta makes these objections to the following Instructions and Definitions.

1. Meta objects to all defined terms to the extent that they are not utilized in Plaintiffs' First Set of Requests for Admission.

2. Meta objects to the definition of "Complaint," which refers to the production of documents in response to Plaintiffs' Requests for Admission. Meta will construe "Complaint" to refer to Plaintiffs' Corrected Second Consolidated Amended Complaint (Dkt. 133), filed September 9, 2024.

3. Meta objects to the definition of "Dataset(s)" as vague, ambiguous, as to the phrase "all collections of data," which is indefinite and overbroad. Meta further objects to the definition of "Dataset(s)" as vague and ambiguous as to the phrase "referenced, or intended to be used," which, read literally, would encompass any dataset referenced by any Meta employee in the context of the development, training, validation, testing, or evaluation of LLMs and any datasets that were intended for such use but not actually used. Meta further objects to this definition to the extent it purports to include datasets that include content to which Plaintiffs have made no claim of ownership and which are not the subject of any allegations of copyright infringement by Plaintiffs. Meta will construe "Dataset(s)" to mean the textual datasets used to train the Llama Models (as construed below).

4. Meta objects to the definition of "Llama Models" as vague and ambiguous as to the terms and phrases "other AI models," "instances," "iterations," "versions," "updates," "modifications," "original version," "experimental versions," "subsequent versions," and "refinements to the underlying algorithm, parameters, or architecture," as applied to Llama and "any other AI models developed or in development by Meta." Meta further objects to this definition as overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to require Meta to produce documents concerning large language models ("LLMs") that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to this definition to the

1 extent that it purports to require Meta to produce documents that are not relevant to any party's
2 claims or defenses. Meta will construe "Llama Models" to mean the models within the Llama
3 family of LLMs that have been publicly released by Meta, namely, Llama 1, Llama 2, Code Llama,
4 and Llama 3, and the models Llama 4 and Llama 5, which remain under development.

5 **5.** Meta objects to the definitions of "Llama 1," "Llama 2," and "Llama 3" as vague
6 and ambiguous as to the undefined terms "precursor models" and "variant models." Meta further
7 objects to these definitions as overbroad, unduly burdensome, and disproportionate to the needs of
8 the case to the extent that it purports to require Meta to produce documents or information
9 concerning LLMs that were not publicly released and/or were not trained on corpuses of text that
10 include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to these
11 definitions to the extent that they purport to require Meta to produce documents or information
12 concerning LLMs that are not relevant to any party's claims or defenses. For purposes of these
13 responses, Meta construes the term "Llama 1" to refer to the LLM released by Meta as Llama on
14 February 24, 2023, the term "Llama 2" to refer to the LLM released by Meta under that name on
15 July 18, 2023, and the term "Llama 3" to refer to the LLMs released by Meta under that name on
16 April 18, 2024, July 23, 2024, and September 25, 2024.

17 **6.** Meta objects to the definition of "Meta" as overbroad and unduly burdensome to the
18 extent it seeks to impose on Meta an obligation to investigate information or documents outside of
19 its possession, custody, or control. For purposes of these responses, Meta construes the term
20 "Meta" or "You" to mean Meta Platforms, Inc. and its officers, directors, employees, and
21 authorized agents working on its behalf and subject to its control.

22 **7.** Meta objects to the definition of "Relevant Period" as vague, ambiguous, and
23 unintelligible, as it is defined circularly to mean "all times relevant to ... the Complaint." Meta
24 construes the Relevant Period to mean January 1, 2022 to the present.

25 **8.** Meta objects to Instruction 4 to the extent it purports to require more of Meta than
26 any obligation imposed by law, and to the extent it purports to require Meta to disclose information
27 protected by attorney-client privilege and/or the attorney work product doctrine.

28 **9.** Meta objects to Instruction 5 as overbroad and unduly burdensome to the extent it

purports to require more of Meta than any obligation imposed by law.

10. Meta objects to Instruction 8 insofar as it provides that any Request will be deemed admitted as a result of an undefined "inadequate" response, without requiring Plaintiffs to bring a motion regarding the sufficiency of an answer or objection, as required under Fed. R. Civ. P. 36(a)(6).

III. AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS

REQUEST FOR ADMISSION NO. 1:

Admit that Meta created and maintains the large language models known as Llama.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it maintains those versions of the large language models known as Llama (i.e., Llama 1, Llama 2, Llama 3) that are provided by Meta through Meta's website and Meta's hosting partners Amazon, Google, and Microsoft. Meta denies that it maintains versions of Llama that are under the control of licensees or unauthorized third party users of the Llama models. Except as expressly admitted, Meta denies the Request.

REQUEST FOR ADMISSION NO. 2:

Admit that the Llama Models are large language models designed to emit naturalistic text outputs in response to user prompts.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the terms "designed to" and "naturalistic" as vague and ambiguous, as it is unclear whether this Request is

1 asking for an admission regarding Meta’s intended purpose of the Llama Models or about their
2 functionality.

3 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
4 admits that one of the functions of the Llama Models is to emit natural language text outputs in
5 response to user prompts. Except as expressly admitted, Meta denies the Request.

6 **REQUEST FOR ADMISSION NO. 3:**

7 Admit that the Dataset used to train Llama 1 included copyrighted books.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, including its
10 own definitions stated therein, which are applicable to this Request. Meta objects to the term
11 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
12 Llama 1. Meta objects to this Request to the extent that it calls for a legal conclusion as to
13 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
14 define this term.

15 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
16 admits that it used one or more Datasets that included text from a published and commercially-
17 available version of one or more copyrighted books to train Llama 1. Except as expressly admitted,
18 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
19 denies it.

20 **REQUEST FOR ADMISSION NO. 4:**

21 Admit that the Dataset used to train Llama 2 included copyrighted books.

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

23 Meta incorporates by reference its Objections to Instructions and Definitions, including its
24 own definitions stated therein, which are applicable to this Request. Meta objects to the term
25 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
26 Llama 2. Meta objects to this Request to the extent that it calls for a legal conclusion as to
27 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
28 define this term.

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
2 admits that it used one or more Datasets that included text from a published and commercially-
3 available version of one or more copyrighted books to train Llama 2. Except as expressly admitted,
4 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
5 denies it.

6 **REQUEST FOR ADMISSION NO. 5:**

7 Admit that the Dataset used to train Llama 3 included copyrighted books.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, including its
10 own definitions stated therein, which are applicable to this Request. Meta objects to the term
11 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
12 Llama 3. Meta objects to this Request to the extent that it calls for a legal conclusion.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it used one or more Datasets that included text from a published and commercially-
15 available version of one or more copyrighted books to train Llama 3. Except as expressly admitted,
16 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
17 denies it.

18 **REQUEST FOR ADMISSION NO. 6:**

19 Admit that the Dataset used or that will be used to train Llama 4 included copyrighted books.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, including its
22 own definitions stated therein, which are applicable to this Request. Meta objects to the term “the
23 Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
24 Llama 4. Meta objects to this Request to the extent that it calls for a legal conclusion as to
25 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
26 define this term. Meta objects to this Request as purely speculative and not relevant to the claims
27 or defenses of any party insofar as Meta has not yet released Llama 4 and Meta is in the process of
28 finalizing the data corpus for Llama 4.

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
2 admits that text from a published and commercially-available version of one or more copyrighted
3 books is included in a Dataset that could be used to train Llama 4. Except as expressly admitted,
4 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
5 denies it.

6 **REQUEST FOR ADMISSION NO. 7:**

7 Admit that You did not obtain permission or consent from the relevant copyright owners to
8 use all copyrighted books in the Datasets used to train Llama Models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, including its
11 own definitions stated therein, which are applicable to this Request. Meta objects to the Request
12 as vague, ambiguous, and unintelligible as to “use all copyrighted books in the Datasets.” Meta
13 also objects on the ground that the terms “relevant copyright owners” and “copyrighted books” are
14 vague, ambiguous, indefinite, undefined, and overbroad in that they are untethered to the allegedly
15 copyright registered works at issue in this Action. Meta further objects to this Request on the
16 ground that information about who the “relevant copyright owner” is for any allegedly copyrighted
17 book or its contents is outside of Meta’s possession, custody, or control. Even reviewing the
18 copyright registration or copyright notice in a book would not tell Meta who the “relevant copyright
19 owner” is of any book, because, e.g., all or some of the exclusive rights of copyright could have
20 been assigned, could be invalid, could have been contributed to the public domain, or could have
21 been registered through error or fraud in the name of a person other than the author/true copyright
22 owner. Moreover, even where an author owns the copyright to a book, that copyright may not
23 cover all text in the book (by way of example, content contributed by another author, or previously
24 published or registered works appearing in a collection or anthology, such as a collection of short
25 stories, are not covered by any copyright in the book, whether registered or not). Meta construes
26 the term “relevant copyright owner” as used in this Request to refer to the person identified in the
27 book as the copyright owner, without admitting that such person in fact owns a valid copyright in
28 the book or what it covers. Meta further objects to this Request as overly burdensome and

1 disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the
2 “relevant copyright owner” of “all copyrighted books” in its training Datasets, which Plaintiffs
3 assert comprised thousands of books. Meta objects to the Request as compound insofar as it seeks
4 an admission as to multiple datasets used to train Llama Models. Meta objects to this Request to
5 the extent it improperly suggests that Meta participated in the selection of books or other content
6 to be included in the datasets used to train the Llama Models or that Meta was required to obtain
7 permission from copyright owners to train the Llama Models on any unspecified content of books
8 they authored or to which they own the copyright.

9 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
10 admits that one or more Datasets used to train its Llama Models contained text from published and
11 commercially-available versions of one or more copyrighted books for which it did not obtain
12 permission or consent from the relevant copyright owner(s) (as construed above). Except as
13 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
14 and on that basis denies it.

15 **REQUEST FOR ADMISSION NO. 8:**

16 Admit that You did not obtain permission from Plaintiffs to include the content of books
17 they authored in the Datasets used to train Llama Models.

18 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its
20 own definitions stated therein, which are applicable to this Request. Meta objects to the Request
21 as compound insofar as it seeks an admission as to multiple datasets used to train Llama Models.
22 Meta further objects on the ground that the term “content of books they authored” is vague,
23 ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright
24 registered works at issue in this Action. Meta further objects to this Request on the ground that
25 information about who authored the books at issue in this case is outside of Meta’s possession,
26 custody, or control. Even reviewing the copyright registration or copyright notice in a book would
27 not tell Meta who “authored” all or any part of the book, because the information may be inaccurate.
28 In this case, authorship is a disputed issue as to at least one at-issue work. Moreover, even where

a person is identified as the “author” of a book in a copyright notice or registration, that authorship may not extend to all text in the book (by way of example, content contributed by another author, or previously published or registered works appearing in a collection or anthology, such as a collection of short stories, would not be authored by the copyright holder and are not covered by any copyright in the book, whether registered or not). For purposes of its response below, Meta construes the term “books they authored” as used in this Request to refer to the at-issue books Plaintiffs claim in this case to have authored, without admitting that any Plaintiff was, in fact, the author or owns a valid copyright in the book, and without admitting what any copyright in the book may cover. Meta objects to this Request to the extent it improperly suggests that Meta participated in the selection of books or other content to be included in the datasets used to train the Llama Models or that Meta was required to obtain permission from Plaintiffs to train the Llama Models on any unspecified content of books they authored.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it did not seek or obtain permission from Plaintiffs to train Llama Models using Datasets that included books Plaintiffs claim in this action to have authored. Except as expressly admitted, Meta denies the Request.

REQUEST FOR ADMISSION NO. 9:

Admit that You did not compensate Plaintiffs for the inclusion of the content of books they authored in the Datasets used to train Llama Models.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term “compensate” as vague and ambiguous. Meta will construe “compensate” to refer to financial compensation. Meta objects to the Request as compound insofar as it seeks an admission as to multiple datasets used to train Llama Models. Meta further objects on the ground that the term “content of books they authored” is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright registered works at issue in this Action. Meta further objects to this Request on the ground that information about who authored the books at issue in this

1 case is outside of Meta’s possession, custody, or control. Even reviewing the copyright registration
2 or copyright notice in a book would not tell Meta who “authored” all or any part of the book,
3 because the information may be inaccurate. In this case, authorship is a disputed issue as to at least
4 one at-issue work. Moreover, even where a person is identified as the “author” of a book in a
5 copyright notice or registration, that authorship may not extend to all text in the book (by way of
6 example, content contributed by another author, or previously published or registered works
7 appearing in a collection or anthology, such as a collection of short stories, would not be authored
8 by the copyright holder and are not covered by any copyright in the book, whether registered or
9 not). For purposes of its response below, Meta construes the term “books they authored” as used
10 in this Request to refer to the at-issue books Plaintiffs claim in this case to have authored, without
11 admitting that any Plaintiff was, in fact, the author or owns a valid copyright in the book, and
12 without admitting what any copyright in the book may cover. Meta objects to this Request to the
13 extent it improperly suggests that Meta participated in the selection of the content of books or other
14 content to be included in the datasets used to train the Llama Models or that Meta was required to
15 compensate Plaintiffs to train the Llama Models on any unspecified content of books Plaintiffs
16 authored.

17 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
18 admits that it did not compensate Plaintiffs for the inclusion of the content of books they
19 purportedly authored in the Datasets used to train Llama Models, to the extent those Datasets
20 included the content of books they purportedly authored. Except as expressly admitted, Meta
21 denies the Request.

22 **REQUEST FOR ADMISSION NO. 10:**

23 Admit that You have made Llama 1 available for use by Third Parties.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

25 Meta incorporates by reference its Objections to Instructions and Definitions, including its
26 own definitions stated therein, which are applicable to this Request.

27 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
28 admits that it has made Llama 1 available for use by Third Parties under certain circumstances and

1 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

2 **REQUEST FOR ADMISSION NO. 11:**

3 Admit that You have made Llama 2 available for use by Third Parties.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, including its
6 own definitions stated therein, which are applicable to this Request.

7 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
8 admits that it has made Llama 2 available for use by Third Parties under certain circumstances and
9 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

10 **REQUEST FOR ADMISSION NO. 12:**

11 Admit that You have made Llama 3 available for use by Third Parties.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, including its
14 own definitions stated therein, which are applicable to this Request.

15 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
16 admits that it has made Llama 3 available for use by Third Parties under certain circumstances and
17 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

18 **REQUEST FOR ADMISSION NO. 13:**

19 Admit that you intend to make Llama 4 available for use by Third Parties.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, including its
22 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
23 as purely speculative and not relevant to the claims or defenses of any party insofar as Meta has not
24 yet released Llama 4.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
26 admits that it currently intends to make Llama 4 available for use by Third Parties at some point in
27 the future under certain circumstances and subject to certain terms and restrictions. Except as
28 expressly admitted, Meta denies the Request.

REQUEST FOR ADMISSION NO. 14:

Admit that You have generated revenue from making one or more Llama Models available for use by Third Parties.

***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta further objects to the capitalized term “Third Parties,” which is ambiguous and undefined. Meta construes this term to refer to persons who are not named parties to this Action. Meta further objects to this Request on the ground that the terms “generated revenue” and “from making one or more Llama Models available for use by Third Parties” are vague, ambiguous, and undefined. Meta further objects on the ground that this Request is compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that at least one Third Party has paid Meta to use a Llama Model (as defined by Meta above). Except as expressly admitted, Meta denies the Request.

REQUEST FOR ADMISSION NO. 15:

Admit that You have not disclosed all Datasets used to train Llama Models in response to discovery in this case.

***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request, including, in particular Objection No. 4. Meta objects to this Request as improperly seeking discovery on discovery. Meta further objects to this Request to the extent it seeks information that is not relevant to the claims or defenses of any party.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it has not disclosed all Datasets used to train all Llama 4 models because those models remain in development and decisions concerning which Datasets to use for certain versions of the model have not been finalized. Meta admits that it has not disclosed any Datasets used to train Llama 5 because that model has not yet been trained and decisions concerning which Datasets to

1 use have not been made. Except as expressly admitted, Meta denies this Request.

2 **REQUEST FOR ADMISSION NO. 16:**

3 Admit that You used the Books3 database as a Dataset to train one or more Llama Models.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, including its
6 own definitions stated therein, which are applicable to this Request. Meta objects to the term
7 “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the
8 third-party dataset commonly known as Books3. Meta further objects to this Request as compound.

9 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
10 admits that it has used a portion of the third-party dataset commonly known as Books3 as training
11 data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

12 **REQUEST FOR ADMISSION NO. 17:**

13 Admit that the Books3 database contains copyrighted works.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, including its
16 own definitions stated therein, which are applicable to this Request. Meta objects to the term
17 “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the
18 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it
19 calls for a legal conclusion as to “copyrighted works,” and on the ground that it does not specify
20 any copyrighted works or otherwise define this term.

21 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
22 admits that text from a published and commercially-available version of one or more copyrighted
23 works appears in the third-party dataset commonly known as Books3. Except as expressly
24 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
25 that basis denies it.

26 **REQUEST FOR ADMISSION NO. 18:**

27 Admit that Your use of the Books3 database as a Dataset for training Llama Models was
28 not authorized by all copyright owners of the works contained within the Books3 database.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 18:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it calls for a legal conclusion. Meta further objects on the ground that the term “copyright owners” is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright registered works at issue in this Action. Meta further objects to this Request on the ground that information about who the “copyright owner” is for any allegedly copyrighted book or its contents is outside of Meta’s possession, custody, or control. Even reviewing the copyright registration or copyright notice in a book would not tell Meta who the “copyright owner” is of any book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could be invalid, could have been contributed to the public domain, or could have been registered through error or fraud in the name of a person other than the author/true copyright owner. Moreover, even where an author owns the copyright to a book, that copyright may not cover all text in the book (by way of example, content contributed by another author, or previously published or registered works appearing in a collection or anthology, such as a collection of short stories, are not covered by any copyright in the book, whether registered or not). Meta construes the term “copyright owner” as used in this Request to refer to the person identified in the book as the copyright owner, without admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further objects to this Request as overly burdensome and disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the “copyright owner” of “all copyrighted books” in the Books3 database, a database Meta did not create and which Plaintiffs assert comprises thousands of books. Meta objects to this Request to the extent it improperly suggests that Meta participated in the selection of content to be included in the third-party Books3 dataset or that Meta’s use of the Books3 dataset for training the Llama Models required authorization from the owners of the copyrights in the works contained within that dataset.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1 admits that it did not seek or obtain authorization from all copyright owners (as construed above)
2 of works included within the third-party dataset commonly known as Books3 to use that dataset for
3 training Llama Models. Except as expressly admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 19:**

5 Admit that You used the “Library Genesis” database as a Dataset to train one or more Llama
6 Models.

7 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta further objects to this
10 Request as compound.

11 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
12 admits that it has used a portion of the data comprising the third-party “Library Genesis” database
13 as training data to train one or more Llama Models. Except as expressly admitted, Meta denies this
14 Request.

15 **REQUEST FOR ADMISSION NO. 20:**

16 Admit that the “Library Genesis” database contains copyrighted works.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, including its
19 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
20 to the extent that it calls for a legal conclusion as to “copyrighted works,” and on the ground that it
21 does not specify any copyrighted works or otherwise define this term.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
23 admits that text from a published and commercially-available version of one or more copyrighted
24 works appears in the third-party “Library Genesis” database. . Except as expressly admitted, Meta
25 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
26 it.

27 **REQUEST FOR ADMISSION NO. 21:**

28 Admit that Your use of the “Library Genesis” database as a Dataset for training Llama

1 Models was not authorized by all copyright owners of the works contained within the “Library
2 Genesis” database.

3 ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

4 Meta incorporates by reference its Objections to Instructions and Definitions, including its
5 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
6 to the extent that it calls for a legal conclusion. Meta further objects on the ground that the term
7 “copyright owners” is vague, ambiguous, indefinite, undefined, and overbroad in that it is
8 untethered to the allegedly copyright registered works at issue in this Action. Meta further objects
9 to this Request on the ground that information about who the “copyright owner” is for any allegedly
10 copyrighted book or its contents is outside of Meta’s possession, custody, or control. Even
11 reviewing the copyright registration or copyright notice in a book would not tell Meta who the
12 “copyright owner” is of any book, because, e.g., all or some of the exclusive rights of copyright
13 could have been assigned, could be invalid, could have been contributed to the public domain, or
14 could have been registered through error or fraud in the name of a person other than the author/true
15 copyright owner. Moreover, even where an author owns the copyright to a book, that copyright
16 may not cover all text in the book (by way of example, content contributed by another author, or
17 previously published or registered works appearing in a collection or anthology, such as a collection
18 of short stories, are not covered by any copyright in the book, whether registered or not). Meta
19 construes the term “copyright owner” as used in this Request to refer to the person identified in the
20 book as the copyright owner, without admitting that such person in fact owns a valid copyright in
21 the book or what it covers. Meta further objects to this Request as overly burdensome and
22 disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the
23 “copyright owner” of “all copyrighted books” in the “Library Genesis” database, a database Meta
24 did not create and which Plaintiffs assert comprises thousands of books. Meta objects to this
25 Request to the extent it suggests that Meta’s use of data from the third-party “Library Genesis”
26 database for training the Llama Models required authorization from the owners of the copyrights
27 in the works contained within that database.

28 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1 admits that it did not seek or obtain authorization from all copyright owners (as construed above)
2 of any works included within the third-party Library Genesis database to use that dataset for
3 training Llama Models. Except as expressly admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 22:**

5 Admit that You used the database known as “The Pile” as a Dataset to train one or more
6 Llama Models.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 22:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The
10 Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the
11 third-party dataset commonly known as The Pile. Meta further objects to this Request as
12 compound.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it has used some content included in the third-party dataset commonly known as The
15 Pile as training data to train one or more Llama Models. Except as expressly admitted, Meta denies
16 this Request.

17 **REQUEST FOR ADMISSION NO. 23:**

18 Admit that the database known as “The Pile” contains copyrighted works.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 23:**

20 Meta incorporates by reference its Objections to Instructions and Definitions, including its
21 own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The
22 Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the
23 third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it
24 calls for a legal conclusion as to “copyrighted works,” and on the ground that it does not specify
25 any copyrighted works or otherwise define this term.

26 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
27 admits that text from a published and commercially-available version of one or more copyrighted
28 works appears in the third-party dataset commonly known as The Pile. Except as expressly

1 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
2 that basis denies it.

3 **REQUEST FOR ADMISSION NO. 24:**

4 Admit that Your use of the database known as “The Pile” as a Dataset for training Llama
5 Models was not authorized by all copyright owners of the works contained within the “The Pile”
6 database.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The
10 Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the
11 third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it
12 calls for a legal conclusion. Meta further objects on the ground that the term “copyright owners”
13 is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly
14 copyright registered works at issue in this Action. Meta further objects to this Request on the
15 ground that information about who the “copyright owner” is for any allegedly copyrighted book or
16 its contents is outside of Meta’s possession, custody, or control. Even reviewing the copyright
17 registration or copyright notice in a book would not tell Meta who the “copyright owner” is of any
18 book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could
19 be invalid, could have been contributed to the public domain, or could have been registered through
20 error or fraud in the name of a person other than the author/true copyright owner. Moreover, even
21 where an author owns the copyright to a book, that copyright may not cover all text in the book (by
22 way of example, content contributed by another author, or previously published or registered works
23 appearing in a collection or anthology, such as a collection of short stories, are not covered by any
24 copyright in the book, whether registered or not). Meta construes the term “copyright owner” as
25 used in this Request to refer to the person identified in the book as the copyright owner, without
26 admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further
27 objects to this Request as overly burdensome and disproportionate to the needs of the case insofar
28 as it would require Meta to attempt to ascertain the “copyright owner” of “all copyrighted books”

1 in the “The Pile,” a database Meta did not create and which Plaintiffs assert comprises thousands
2 of books. Meta objects to this Request to the extent it improperly suggests that Meta participated
3 in the selection of content to be included in the third-party dataset commonly known as The Pile or
4 that Meta’s use of The Pile for training the Llama Models required authorization from the owners
5 of the copyrights in the works contained within that dataset.

6 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
7 admits that it did not seek or obtain authorization from all copyright owners (as construed above)
8 of any works included within the third-party The Pile dataset to use that dataset for training Llama
9 Models. Except as expressly admitted, Meta denies this Request.

10 **REQUEST FOR ADMISSION NO. 25:**

11 Admit that You have contacted one or more Person(s) to negotiate licensing of material for
12 the purpose of training a Llama Model.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

14 Meta incorporates by reference its Objections to Instructions and Definitions, including its
15 own definitions stated therein, which are applicable to this Request. Meta objects to the terms
16 “material” and “licensing” as vague, ambiguous, and indefinite.

17 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
18 admits that it has contacted one or more Persons to discuss an agreement for access to and use of
19 certain data as training material. Except as expressly admitted, Meta denies this Request.

20 **REQUEST FOR ADMISSION NO. 26:**

21 Admit that You have contacted one or more copyright owners to negotiate licensing of their
22 copyrighted material for the purpose of training a Llama Model.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

24 Meta incorporates by reference its Objections to Instructions and Definitions, including its
25 own definitions stated therein, which are applicable to this Request. Meta objects to the terms
26 “copyright owners,” “copyrighted material,” and “licensing” as vague, ambiguous, indefinite, and
27 calling for a legal conclusion.

28 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1 admits that it has contacted one or more Persons to discuss an agreement for access to and use of
2 certain data that may include copyrighted material as training material. Except as expressly
3 admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 27:**

5 Admit that each Llama Model can generate text outputs similar to copyrighted works in
6 Datasets used to train each Llama Model.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
10 insofar as it seeks information that is not relevant to any party's claims or defenses, in particular
11 the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it
12 purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the
13 grounds that the terms "copyrighted works" and "similar to copyrighted works" are vague,
14 ambiguous, undefined, indefinite, and call for a legal conclusion. Meta objects to this Request as
15 speculative insofar as it seeks an admission as to whether the Llama Models "can" generate certain
16 text outputs, regardless of whether they actually do generate those text outputs. Meta objects to the
17 phrase "each Llama Model can generate" as vague and ambiguous. Meta will construe "each Llama
18 Model can generate" to refer to the capabilities of the final, released versions of Llama 1, Llama 2,
19 and Llama 3, as construed above. Meta further objects to this Request on the ground that it
20 constitutes an incomplete hypothetical and calls for speculation.

21 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

22 **REQUEST FOR ADMISSION NO. 28:**

23 Admit that You issued a DMCA takedown notice to a Person who made a leaked version
24 of Llama 1 available for download to third parties.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
27 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
28 insofar as it seeks information that is not relevant to any party's claims or defenses. Meta objects

1 to the term “leaked version” as vague, ambiguous, and undefined. Meta construes the term “third
2 parties” synonymously with the defined term Third Parties.

3 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
4 admits that it issued a DMCA takedown notice to a Person who made the Llama 1 weights available
5 for download to Third Parties other than those Persons authorized to use Llama 1. Except as
6 expressly admitted, Meta denies this Request.

7 **REQUEST FOR ADMISSION NO. 29:**

8 Admit that You received more than 100,000 applications for access to Llama 1.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, including its
11 own definitions stated therein, which are applicable to this Request. Meta objects to the term
12 “applications” as vague and ambiguous.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it received more than 100,000 requests to provide access to Llama 1. Except as
15 expressly admitted, Meta denies this Request.

16 **REQUEST FOR ADMISSION NO. 30:**

17 Admit that You granted access to Llama 1 to tens of thousands of third-party users.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its
20 own definitions stated therein, which are applicable to this Request. Meta construes “third parties”
21 in this Request synonymously with the defined term Third Parties.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23 **REQUEST FOR ADMISSION NO. 31:**

24 Admit that You granted access to Llama 2 to tens of thousands of third-party users.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
27 own definitions stated therein, which are applicable to this Request. Meta objects to the term
28 “granted access” as vague and ambiguous in the context of Llama 2, which is freely available. Meta

1 construes “third parties” in this Request synonymously with the defined term Third Parties.

2 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
3 admits that Llama 2 is freely available to at least tens of thousands of third-party users. Except as
4 expressly admitted, Meta denies this Request.

5 **REQUEST FOR ADMISSION NO. 32:**

6 Admit that You granted access to Llama 3 to tens of thousands of third-party users.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to the term
10 “granted access” as vague and ambiguous in the context of Llama 3, which is freely available. Meta
11 construes “third parties” in this Request synonymously with the defined term Third Parties.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
13 admits that Llama 3 is freely available to at least tens of thousands of third-party users. Except as
14 expressly admitted, Meta denies this Request.

15 **REQUEST FOR ADMISSION NO. 33:**

16 Admit that one or more Llama Models were trained using publicly available data.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 33:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, including its
19 own definitions stated therein, which are applicable to this Request. Meta objects to the term
20 “publicly available data” as vague and ambiguous, and will construe the term to mean data that is
21 accessible for free to the general public. Meta further objects to this Request as compound.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23 **REQUEST FOR ADMISSION NO. 34:**

24 Admit that the publicly available data used to train the Llama Models included copyrighted
25 works.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 34:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, including its
28 own definitions stated therein, which are applicable to this Request. Meta objects to the term

1 “publicly available data” as vague and ambiguous, and will construe the term to mean data that is
 2 accessible for free to the general public. Meta objects to this Request to the extent that it calls for
 3 a legal conclusion as to “copyrighted works,” and on the ground that it does not specify any
 4 copyrighted works or otherwise define this term. Meta further objects to this Request as compound.

5 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
 6 admits that the publicly available data used to train the Llama Models included text from a
 7 published and commercially-available version of one or more copyrighted works.

8 **REQUEST FOR ADMISSION NO. 35:**

9 Admit that Meta has not provided to Plaintiffs a list of works used in the Datasets used to
 10 train Llama Models.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

12 Meta incorporates by reference its Objections to Instructions and Definitions, including its
 13 own definitions stated therein, which are applicable to this Request. Meta objects to the term
 14 “works” as vague, ambiguous, and indefinite. Meta objects to this Request as it improperly seeking
 15 discovery on discovery.

16 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.
 17 Meta has produced a list of the content of the third-party Books3 dataset (Meta_Kadrey_00000250),
 18 which is alleged to include text from each of Plaintiffs’ books that are at issue in the Complaint.
 19 Meta is not aware or in possession of any list(s) of the content of any other Datasets used to train
 20 the Llama Models, and any such list(s) would not be relevant to the Parties’ claims or defenses nor
 21 proportional to the needs of this case. Except as expressly admitted, Meta denies this Request.

22 **REQUEST FOR ADMISSION NO. 36:**

23 Admit that the toxicity mitigation measures in Llama 2 were identical to those present in
 24 Llama 1.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
 27 own definitions stated therein, which are applicable to this Request. Meta objects to the term
 28 “toxicity mitigation measures” as vague, ambiguous, and undefined. Meta will construe this term

1 to refer to measures taken or implemented to avoid generating toxic content as outputs.

2 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

3 **REQUEST FOR ADMISSION NO. 37:**

4 Admit that the toxicity mitigation measures in Llama 3 were identical to those present in
5 Llama 2.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 37:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, including its
8 own definitions stated therein, which are applicable to this Request. Meta objects to the term
9 “toxicity mitigation measures” as vague, ambiguous, and undefined. Meta will construe this term
10 to refer to measures taken or implemented to avoid generating toxic content as outputs.

11 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

12 **REQUEST FOR ADMISSION NO. 38:**

13 Admit that You store copyrighted material for training Llama Models.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 38:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, including its
16 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
17 to the extent that it calls for a legal conclusion. Meta objects to this Request on the grounds that
18 the term “copyrighted material” is vague, ambiguous, undefined, indefinite, and calls for a legal
19 conclusion. Meta objects to the term “store copyrighted material for training Llama Models” as
20 vague and ambiguous. Meta also objects on the ground that this Request is overbroad and seeks
21 information that is not relevant to any party’s claims or defenses. Meta objects to this Request as
22 compound.

23 Subject to and without waiving the foregoing objections, Meta responds as follows: As
24 written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is
25 willing to meet and confer to understand how to interpret this Request.

26 **REQUEST FOR ADMISSION NO. 39:**

27 Admit that You have not deleted all copyrighted material in Your possession after it is used
28 for training Llama Models.

RESPONSE TO REQUEST FOR ADMISSION NO. 39:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. . Meta objects to this Request on the grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite, and calls for a legal conclusion. Meta objects to this Request to the extent it suggests that Meta was required to delete copyrighted material used for training LLMs after the material was used to train its Llama Models. Meta also objects on the ground that this Request is overbroad and seeks information that is not relevant to any party’s claims or defenses. Meta objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it has not deleted all training data used to train its Llama Models in its possession after that training data was used to train its Llama Models, including, in part, to comply with its obligations to preserve relevant documents and materials in connection with this Action. Except as expressly admitted, Meta denies this Request.

REQUEST FOR ADMISSION NO. 40:

Admit that you reproduced copyrighted material in the training of Llama models.

RESPONSE TO REQUEST FOR ADMISSION NO. 40:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term “Llama models” as vague and ambiguous to the extent its meaning is intended to be different from the defined term “Llama Models.” Meta will construe “Llama models” as the defined term “Llama Models” as limited and construed above. Meta objects to this Request on the grounds that the terms “copyrighted material” and “reproduced” are vague, ambiguous, undefined, indefinite, and call for a legal conclusion. Meta objects to this Request to the extent it calls for a legal conclusion. Meta objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

REQUEST FOR ADMISSION NO. 41:

Admit that the Llama Models are capable of reproducing copyrighted material.

RESPONSE TO REQUEST FOR ADMISSION NO. 41:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to this Request insofar as it seeks information that is not relevant to any party's claims or defenses, in particular the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls for a legal conclusion. Meta objects to this Request as speculative insofar as it seeks an admission as to whether the Llama Models "are capable of" reproducing certain material, regardless of whether they actually do reproduce such material. Meta objects to the phrase "the Llama Models are capable of reproducing" as vague and ambiguous. Meta will construe "the Llama Models are capable of reproducing" to refer to the capabilities of the final, released versions of Llama 1, Llama 2, and Llama 3, as construed above. Meta further objects to this Request on the ground that it constitutes an incomplete hypothetical and calls for speculation.

Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

REQUEST FOR ADMISSION NO. 42:

Admit that the Llama Models are programmed, trained, or filtered to avoid reproducing copyrighted material.

RESPONSE TO REQUEST FOR ADMISSION NO. 42:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to this Request insofar as it seeks information that is not relevant to any party's claims or defenses, in particular the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls for a legal conclusion.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it implemented certain risk mitigation measures in the process of developing the Llama

1 Models to minimize the likelihood that the models would generate undesirable outputs, including
2 outputs that may reproduce portions of any copyrighted materials. Except as expressly admitted,
3 Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 43:**

5 Admit that the Llama Models that were trained with copyrighted material had at least in
6 part a commercial purpose.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 43:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
10 on the grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite,
11 and calls for a legal conclusion. Meta objects to the Request as compound.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
13 admits that Llama 2 and Llama 3 models were made available to the open source community
14 pursuant to a license that allowed developers to use the models for commercial uses pursuant to
15 certain terms and conditions. Meta also admits that the data used to train the Llama Models
16 included text from a published and commercially-available version of one or more copyrighted
17 works. Except as expressly admitted, Meta denies this Request.

18 **REQUEST FOR ADMISSION NO. 44:**

19 Admit that if copyright holders or other content creators demanded that You not use their
20 content to train Your LLM models, then You would not use their content to train Your LLM models.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 44:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, including its
23 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
24 on the ground that it constitutes an incomplete hypothetical and as purely speculative.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: As
26 written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is
27 willing to meet and confer to understand how to interpret this Request.

28 **REQUEST FOR ADMISSION NO. 45:**

1 Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Aloha from Hell*.

2 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

3 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 4 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
 5 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
 6 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 7 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 8 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 9 particular book, and would require Meta to conduct an analysis of a third party database that is
 10 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 11 Request to the extent that it presumes that the referenced author in fact authored the referenced
 12 work—information that is outside of Meta's possession, custody, or control.

13 Meta admits that some text from a published and commercially-available version of *Aloha*
 14 *from Hell* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 15 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

16 **REQUEST FOR ADMISSION NO. 46:**

17 Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Everything*
 18 *Box*.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

20 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 21 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
 22 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
 23 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 24 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 25 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 26 particular book, and would require Meta to conduct an analysis of a third party database that is
 27 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 28 Request to the extent that it presumes that the referenced author in fact authored the referenced

1 work—information that is outside of Meta’s possession, custody, or control.

2 Meta admits that some text from a published and commercially-available version of *The*
3 *Everything Box* is included in the third party Books3 dataset. Except as expressly admitted, Meta
4 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
5 it..

6 **REQUEST FOR ADMISSION NO. 47:**

7 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *Kill the Dead*.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, which are
10 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
11 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
12 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
13 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
14 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
15 particular book, and would require Meta to conduct an analysis of a third party database that is
16 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
17 Request to the extent that it presumes that the referenced author in fact authored the referenced
18 work—information that is outside of Meta’s possession, custody, or control.

19 Meta admits that some text from a published and commercially-available version of *Kill the*
20 *Dead* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
21 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

22 **REQUEST FOR ADMISSION NO. 48:**

23 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *The Perdition*
24 *Score*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, which are
27 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
28 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 4 particular book, and would require Meta to conduct an analysis of a third party database that is
 5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 6 Request to the extent that it presumes that the referenced author in fact authored the referenced
 7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *The*
 9 *Perdition Score* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 10 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
 11 it.

12 **REQUEST FOR ADMISSION NO. 49:**

13 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *Sandman Slim*.

14 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 16 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 17 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 18 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 19 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 20 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 21 particular book, and would require Meta to conduct an analysis of a third party database that is
 22 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 23 Request to the extent that it presumes that the referenced author in fact authored the referenced
 24 work—information that is outside of Meta’s possession, custody, or control.

25 Meta admits that some text from a published and commercially-available version of
 26 *Sandman Slim* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 27 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
 28 it.

REQUEST FOR ADMISSION NO. 50:

Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Wrong Dead Guy*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 50:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta's possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *The Wrong Dead Guy* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 51:

Admit that the Books3 database contains Plaintiff Sarah Silverman's work *The Bedwetter*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 51:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 2 Request to the extent that it presumes that the referenced author in fact authored the referenced
 3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
 5 *Bedwetter* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 6 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

7 **REQUEST FOR ADMISSION NO. 52:**

8 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *Ararat*.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 11 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 12 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 13 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 14 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 15 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 16 particular book, and would require Meta to conduct an analysis of a third party database that is
 17 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 18 Request to the extent that it presumes that the referenced author in fact authored the referenced
 19 work—information that is outside of Meta’s possession, custody, or control.

20 Meta admits that some text from a published and commercially-available version of *Ararat*
 21 is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
 22 sufficient to form a belief as to the truth of this request, and on that basis denies it.

23 **REQUEST FOR ADMISSION NO. 53:**

24 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *Dead*
 25 *Ringers*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 5 particular book, and would require Meta to conduct an analysis of a third party database that is
 6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 7 Request to the extent that it presumes that the referenced author in fact authored the referenced
 8 work—information that is outside of Meta’s possession, custody, or control.

9 Meta admits that some text from a published and commercially-available version of *Dead*
 10 *Ringers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 11 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

12 **REQUEST FOR ADMISSION NO. 54:**

13 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *The Pandora*
 14 *Room*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 22 particular book, and would require Meta to conduct an analysis of a third party database that is
 23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 24 Request to the extent that it presumes that the referenced author in fact authored the referenced
 25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *The*
 27 *Pandora Room* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 28 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

1 it.

2 **REQUEST FOR ADMISSION NO. 55:**

3 Admit that the Books3 database contains Plaintiff Christopher Golden's work *Snowblind*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
7 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
11 particular book, and would require Meta to conduct an analysis of a third party database that is
12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
13 Request to the extent that it presumes that the referenced author in fact authored the referenced
14 work—information that is outside of Meta's possession, custody, or control.

15 Meta admits that some text from a published and commercially-available version of
16 *Snowblind* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
17 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 56:**

19 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Beautiful*
20 *Struggle*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are
23 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
24 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
28 particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 2 Request to the extent that it presumes that the referenced author in fact authored the referenced
 3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
 5 *Beautiful Struggle* is included in the third party Books3 dataset. Except as expressly admitted,
 6 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
 7 denies it.

8 **REQUEST FOR ADMISSION NO. 57:**

9 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates’s work *The Water*
 10 *Dancer*.

11 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

12 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 13 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 14 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 16 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 17 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 18 particular book, and would require Meta to conduct an analysis of a third party database that is
 19 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 20 Request to the extent that it presumes that the referenced author in fact authored the referenced
 21 work—information that is outside of Meta’s possession, custody, or control.

22 Meta admits that some text from a published and commercially-available version of *The*
 23 *Water Dancer* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 24 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
 25 it.

26 **REQUEST FOR ADMISSION NO. 58:**

27 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates’s work *We Were Eight*
 28 *Years in Power*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 58:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *We Were Eight Years in Power* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 59:

Admit that the Books3 database contains Plaintiff Junot Díaz’s work *The Brief Wondrous Life of Oscar Wao*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 59:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced

1 work—information that is outside of Meta’s possession, custody, or control.

2 Meta admits that some text from a published and commercially-available version of *The*
3 *Brief Wondrous Life of Oscar Wao* is included in the third party Books3 dataset. Except as
4 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
5 and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 60:**

7 Admit that the Books3 database contains Plaintiff Junot Díaz’s work *Drown*.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, which are
10 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
11 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
12 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
13 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
14 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
15 particular book, and would require Meta to conduct an analysis of a third party database that is
16 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
17 Request to the extent that it presumes that the referenced author in fact authored the referenced
18 work—information that is outside of Meta’s possession, custody, or control.

19 Meta admits that some text from a published and commercially-available version of *Drown*
20 is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
21 sufficient to form a belief as to the truth of this request, and on that basis denies it.

22 **REQUEST FOR ADMISSION NO. 61:**

23 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *The*
24 *Confessions of Max Tivoli*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, which are
27 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
28 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 4 particular book, and would require Meta to conduct an analysis of a third party database that is
 5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 6 Request to the extent that it presumes that the referenced author in fact authored the referenced
 7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *The*
 9 *Confessions of Max Tivoli* is included in the third party Books3 dataset. Except as expressly
 10 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
 11 that basis denies it.

12 **REQUEST FOR ADMISSION NO. 62:**

13 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *How It Was*
 14 *For Me*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 22 particular book, and would require Meta to conduct an analysis of a third party database that is
 23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 24 Request to the extent that it presumes that the referenced author in fact authored the referenced
 25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *How It*
 27 *Was For Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 28 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

1 it.

2 **REQUEST FOR ADMISSION NO. 63:**

3 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *Less*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
7 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
11 particular book, and would require Meta to conduct an analysis of a third party database that is
12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
13 Request to the extent that it presumes that the referenced author in fact authored the referenced
14 work—information that is outside of Meta’s possession, custody, or control.

15 Meta admits that some text from a published and commercially-available version of *Less* is
16 included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
17 sufficient to form a belief as to the truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 64:**

19 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *The Path of*
20 *Minor Planets*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are
23 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
24 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
28 particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 2 Request to the extent that it presumes that the referenced author in fact authored the referenced
 3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
 5 *Path of Minor Planets* is included in the third party Books3 dataset. Except as expressly admitted,
 6 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
 7 denies it.

8
 9 **REQUEST FOR ADMISSION NO. 65:**

10 Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *Golden*
 11 *Child*.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 14 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 15 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 16 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 17 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 18 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 19 particular book, and would require Meta to conduct an analysis of a third party database that is
 20 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 21 Request to the extent that it presumes that the referenced author in fact authored the referenced
 22 work—information that is outside of Meta’s possession, custody, or control.

23 Meta admits that some text from a published and commercially-available version of *Golden*
 24 *Child* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 25 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26 **REQUEST FOR ADMISSION NO. 66:**

27 Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *M. Butterfly*.

28 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *M. Butterfly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 67:

Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *Trying to Find Chinatown*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 67:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Trying*

1 *to Find Chinatown* is included in the third party Books3 dataset. Except as expressly admitted,
 2 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
 3 denies it.

4 **REQUEST FOR ADMISSION NO. 68:**

5 Admit that the Books3 database contains Plaintiff Matthew Klam's work *Sam the Cat*.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 8 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
 9 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
 10 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 11 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 12 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 13 particular book, and would require Meta to conduct an analysis of a third party database that is
 14 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 15 Request to the extent that it presumes that the referenced author in fact authored the referenced
 16 work—information that is outside of Meta's possession, custody, or control.

17 Meta admits that some text from a published and commercially-available version of *Sam*
 18 *the Cat* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 19 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

20 **REQUEST FOR ADMISSION NO. 69:**

21 Admit that the Books3 database contains Plaintiff Matthew Klam's work *Who is Rich?*

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

23 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 24 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and
 25 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and
 26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 27 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 28 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1 particular book, and would require Meta to conduct an analysis of a third party database that is
 2 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 3 Request to the extent that it presumes that the referenced author in fact authored the referenced
 4 work—information that is outside of Meta’s possession, custody, or control.

5 Meta admits that some text from a published and commercially-available version of *Who is*
 6 *Rich?* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 7 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

8 **REQUEST FOR ADMISSION NO. 70:**

9 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *After I’m Gone*.

10 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

11 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 12 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 13 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 15 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 16 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 17 particular book, and would require Meta to conduct an analysis of a third party database that is
 18 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 19 Request to the extent that it presumes that the referenced author in fact authored the referenced
 20 work—information that is outside of Meta’s possession, custody, or control.

21 Meta admits that some text from a published and commercially-available version of *After*
 22 *I’m Gone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 23 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

24 **REQUEST FOR ADMISSION NO. 71:**

25 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *In a Strange City*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 5 particular book, and would require Meta to conduct an analysis of a third party database that is
 6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 7 Request to the extent that it presumes that the referenced author in fact authored the referenced
 8 work—information that is outside of Meta’s possession, custody, or control.

9 Meta admits that some text from a published and commercially-available version of *In a*
 10 *Strange City* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 11 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
 12 it.

13 **REQUEST FOR ADMISSION NO. 72:**

14 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *Lady in the Lake*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 22 particular book, and would require Meta to conduct an analysis of a third party database that is
 23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 24 Request to the extent that it presumes that the referenced author in fact authored the referenced
 25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *Lady*
 27 *in the Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 28 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 73:

Admit that the Books3 database contains Plaintiff Laura Lippman's work *Sunburn*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 73:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta's possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Sunburn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 74:

Admit that the Books3 database contains Plaintiff Laura Lippman's work *What the Dead Know*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 74:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced
2 work—information that is outside of Meta’s possession, custody, or control.

3 Meta admits that some text from a published and commercially-available version of *What*
4 *the Dead Know* is included in the third party Books3 dataset. Except as expressly admitted, Meta
5 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
6 it.

7 **REQUEST FOR ADMISSION NO. 75:**

8 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *Wilde Lake*.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
11 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
12 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
13 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
14 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
15 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
16 particular book, and would require Meta to conduct an analysis of a third party database that is
17 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
18 Request to the extent that it presumes that the referenced author in fact authored the referenced
19 work—information that is outside of Meta’s possession, custody, or control.

20 Meta admits that some text from a published and commercially-available version of *Wilde*
21 *Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
22 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

23 **REQUEST FOR ADMISSION NO. 76:**

24 Admit that the Books3 database contains Plaintiff Rachel Louise Snyder’s work *No Visible*
25 *Bruises: What We Don’t Know About Domestic Violence Can Kill Us*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *No Visible Bruises: What We Don’t Know About Domestic Violence Can Kill Us I* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 77:

Admit that the Books3 database contains Plaintiff Lysa TerKeurst’s work *Embraced*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 77:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Embraced* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 78:

Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Unglued*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 78:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta's possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Unglued* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 79:

Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Made to Crave Devotional*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 79:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Made to Crave Devotional* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 80:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *After Tupac & D Foster*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 80:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *After Tupac & D Foster* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 81:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Another Brooklyn*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 81:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Another Brooklyn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 82:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Behind You*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 82:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Behind You* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

1 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

2 **REQUEST FOR ADMISSION NO. 83:**

3 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Beneath a*
4 *Meth Moon*.

5 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

6 Meta incorporates by reference its Objections to Instructions and Definitions, which are
7 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
8 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
9 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
10 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
11 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
12 particular book, and would require Meta to conduct an analysis of a third party database that is
13 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
14 Request to the extent that it presumes that the referenced author in fact authored the referenced
15 work—information that is outside of Meta’s possession, custody, or control.

16 Meta admits that some text from a published and commercially-available version of *Beneath*
17 *a Meth Moon* is included in the third party Books3 dataset. Except as expressly admitted, Meta
18 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
19 it.

20 **REQUEST FOR ADMISSION NO. 84:**

21 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Brown Girl*
22 *Dreaming*.

23 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

24 Meta incorporates by reference its Objections to Instructions and Definitions, which are
25 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
26 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
27 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
28 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 2 particular book, and would require Meta to conduct an analysis of a third party database that is
 3 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 4 Request to the extent that it presumes that the referenced author in fact authored the referenced
 5 work—information that is outside of Meta’s possession, custody, or control.

6 Meta admits that some text from a published and commercially-available version of *Brown*
 7 *Girl Dreaming* is included in the third party Books3 dataset. Except as expressly admitted, Meta
 8 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
 9 it.

10 **REQUEST FOR ADMISSION NO. 85:**

11 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Feathers*.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 14 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
 15 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
 16 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 17 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 18 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 19 particular book, and would require Meta to conduct an analysis of a third party database that is
 20 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 21 Request to the extent that it presumes that the referenced author in fact authored the referenced
 22 work—information that is outside of Meta’s possession, custody, or control.

23 Meta admits that some text from a published and commercially-available version of
 24 *Feathers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 25 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26 **REQUEST FOR ADMISSION NO. 86:**

27 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Harbor Me*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 86:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Harbor Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 87:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *If You Come Softly*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 87:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta’s possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *If You Come Softly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 88:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Miracle's Boys*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 88:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3. Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the books3 dataset contains the entirety of any particular book, and would require Meta to conduct an analysis of a third party database that is equally accessible to Plaintiffs for every word of any particular work. Meta further object to this Request to the extent that it presumes that the referenced author in fact authored the referenced work—information that is outside of Meta's possession, custody, or control.

Meta admits that some text from a published and commercially-available version of *Miracle's Boys* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it..

REQUEST FOR ADMISSION NO. 89:

Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Red at the Bone*.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 89:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
 2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
 3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
 4 particular book, and would require Meta to conduct an analysis of a third party database that is
 5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
 6 Request to the extent that it presumes that the referenced author in fact authored the referenced
 7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *Red at*
 9 *the Bone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
 10 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

11 Dated: December 13, 2024

COOLEY LLP

12 By: /s/Judd Lauter

13 Bobby Ghajar
 14 Mark Weinstein
 15 Kathleen Hartnett
 16 Judd Lauter
 17 Liz Stameshkin
 18 Colette Ghazarian

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.'S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSIONS**



(BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

SERVICE LIST

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 Christopher K.L. Young
 Holden Benon
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12 *and Representative Plaintiffs and the Proposed*
13 *Class*

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and Representative Plaintiffs and the Proposed
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14 Palo Alto, CA 94304
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15 *[Full Listing on Signature Page]*

16 *Counsel for Defendant Meta Platforms, Inc.*

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 RICHARD KADREY, *et al.*,
21 Individual and Representative
22 Plaintiffs,
23 v.
24 META PLATFORMS, INC., a Delaware
25 corporation;
26 Defendant.

Case No. 3:23-cv-03417-VC

**DEFENDANT META PLATFORMS, INC.'S
AMENDED OBJECTIONS AND RESPONSES TO
PLAINTIFFS' SECOND SET OF REQUESTS
FOR ADMISSIONS**

PROPOUNDING PARTY: PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH

RESPONDING PARTY: DEFENDANT META PLATFORMS, INC.

SET NUMBER: SECOND

Pursuant to Rule 36 of the Federal Rules of Civil Procedure (“Rules”), Defendant Meta Platforms, Inc. (“Meta”) responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and Christopher Farnsworth’s Second Set of Requests for Admissions (“Requests”).

I. OBJECTIONS AND RESPONSES TO ALL REQUESTS

1. Meta’s responses to the Requests are made to the best of Meta’s present knowledge, information, and belief. Said responses are at all times subject to such additional or different information that discovery or further investigation may disclose, and Meta reserves the right to amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

2. To the extent a Request seeks information that Meta deems to embody material that is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure pursuant to Rule 26(c) and/or Federal Rule of Evidence 501, Meta will only provide such information subject to, and in accordance with, the parties’ stipulated protective order (ECF No. 90, the “Protective Order”).

3. The provision of a response to any of these Requests does not constitute a waiver of any objection regarding the use of said response in these proceedings. Meta reserves all objections or other questions as to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action for any purpose whatsoever of this response and any document or thing produced in response to the Requests.

4. Meta objects to Plaintiffs’ Requests insofar as the numbering of the Requests overlaps with the numbering of Plaintiffs’ First Set of Requests for Admissions. To avoid

1 confusion, Meta has numbered its responses consecutively based on Plaintiffs' First Set of Requests
2 for Admissions, beginning with "Request for Admission No. 90."

3 **5.** Meta reserves the right to object on any ground at any time to such other or
4 supplemental requests for admission that Plaintiffs may propound involving or relating to the
5 subject matter of these Requests.

6 **II. OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

7 Whether or not separately set forth in response to each Request, Meta makes these
8 objections to the following Instructions and Definitions.

9 **1.** Meta objects to the definition of "You," "Your," and "Meta Platforms" as
10 overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it
11 purports to require Meta to produce documents outside of its possession, custody, or control. Meta
12 construes "Meta" or "You" to mean Meta Platforms, Inc.

13 **2.** Meta objects to Instruction 1 as vague and ambiguous as to "Plaintiffs' Second Set
14 of Requests for Production of Documents," as Plaintiffs also served "Plaintiffs' Corrected Second
15 Set of Requests for Production" on the same day, March 20, 2024. Meta further objects to
16 Instruction 1 to the extent that the instructions set forth in Plaintiffs' Second Set of Requests for
17 Production of Documents are inapplicable to responding to requests for admission. To the extent
18 those instructions are applicable to responding to the Requests, Meta incorporates its Objections to
19 Instructions and Definitions set forth in its Objections and Responses to Plaintiffs' Corrected
20 Second Set of Requests for Production of Documents.

21 **3.** Meta objects to Instruction 2 as overbroad and unduly burdensome to the extent that
22 it purports to require more of Meta than any obligation imposed by law. Meta also objects to this
23 instruction on the ground that it improperly demands narrative responses, which are the proper
24 subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the
25 interrogatory limit.

26 **4.** Meta objects to Instruction No. 5 as vague, ambiguous, and unintelligible. Meta
27 will answer the Requests as provided under Rule 36(a)(4).
28

1 5. Meta objects to Instruction Nos. 8 and 9 as overbroad and unduly burdensome to the
2 extent that they purport to require more of Meta than any obligation imposed by law.

3 6. Meta objects to Instruction 10 as overbroad and unduly burdensome to the extent
4 that it purports to require more of Meta than any obligation imposed by law. Meta also objects to
5 this instruction on the ground that it improperly demands narrative responses, which are the proper
6 subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the
7 interrogatory limit.

8 **III. AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

9 **REQUEST FOR ADMISSION NO. 90:**

10 Admit that *Blood Oath* by Christopher Farnsworth was included in a dataset used to train
11 Your large language models.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 90:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
14 applicable to this Request. Meta further objects to the term “large language models” as vague,
15 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
16 the needs of the case to the extent that it purports to include large language models (“LLMs”) that
17 were not publicly released and/or were not trained on corpuses of text that allegedly include any of
18 Plaintiffs’ allegedly copyrighted works. Meta construes the term “large language models” to mean
19 the models within the Llama family of LLMs that have been or are being developed by Meta,
20 namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

21 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
22 determine whether the datasets used to train Meta’s large language models (as construed above)
23 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
24 of a third party database that is equally accessible to Plaintiffs for every word of any particular
25 work. Meta further object to this Request to the extent that it presumes that the referenced author
26 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
27 control.

28

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
 2 admits that text from a published and commercially-available version of *Blood Oath* is included in
 3 a dataset used to train Meta’s large language models, as that term is construed above. Except as
 4 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
 5 and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 91:**

7 Admit that *The President’s Vampire* by Christopher Farnsworth was included in a dataset
 8 used to train Your large language models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 91:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
 11 applicable to this Request. Meta further objects to the term “large language models” as vague,
 12 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
 13 the needs of the case to the extent that it purports to include large language models that were not
 14 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
 15 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
 16 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
 17 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

18 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
 19 determine whether the datasets used to train Meta’s large language models (as construed above)
 20 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
 21 of a third party database that is equally accessible to Plaintiffs for every word of any particular
 22 work. Meta further object to this Request to the extent that it presumes that the referenced author
 23 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
 24 control.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
 26 admits that text from a published and commercially-available version of *The President’s Vampire*
 27 is included in a dataset used to train Meta’s large language models, as that term is construed
 28

1 above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the
2 truth of this request, and on that basis denies it.

3 **REQUEST FOR ADMISSION NO. 92:**

4 Admit that *Red, White, and Blood* by Christopher Farnsworth was included in a dataset used
5 to train Your large language models.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 92:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
8 applicable to this Request. Meta further objects to the term “large language models” as vague,
9 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
10 the needs of the case to the extent that it purports to include large language models that were not
11 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
12 allegedly copyrighted works. Meta construes “large language models” to mean the models within
13 the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama
14 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on the ground
15 that the referenced work, *Red, White, and Blood*, is not alleged to be at issue in this action.

16 **REQUEST FOR ADMISSION NO. 93:**

17 Admit that *The Burning Men: A Nathaniel Cade Story* by Christopher Farnsworth was
18 included in a dataset used to train Your large language models.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 93:**

20 Meta incorporates by reference its Objections to Instructions and Definitions, which are
21 applicable to this Request. Meta further objects to the term “large language models” as vague,
22 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
23 the needs of the case to the extent that it purports to include large language models that were not
24 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
25 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
26 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
27 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on
28

1 the ground that the referenced work, *The Burning Men: A Nathaniel Cade Story* is not alleged to
2 be at issue in this action.

3 **REQUEST FOR ADMISSION NO. 94:**

4 Admit that *The Eternal World* by Christopher Farnsworth was included in a dataset used to
5 train Your large language models.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
8 applicable to this Request. Meta further objects to the term “large language models” as vague,
9 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
10 the needs of the case to the extent that it purports to include large language models that were not
11 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
12 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
13 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
14 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

15 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
16 determine whether the datasets used to train Meta’s large language models (as construed above)
17 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
18 of a third party database that is equally accessible to Plaintiffs for every word of any particular
19 work. Meta further object to this Request to the extent that it presumes that the referenced author
20 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
21 control.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
23 admits that text from a published and commercially-available version of *The Eternal World* is
24 included in a dataset used to train Meta’s large language models, as that term is construed
25 above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the
26 truth of this request, and on that basis denies it.

REQUEST FOR ADMISSION NO. 95:

Admit that *Killfile* by Christopher Farnsworth was included in a dataset used to train Your large language models.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 95:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term “large language models” as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’ allegedly copyrighted works. Meta construes the term “large language models” to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on the ground that the referenced work, *Killfile*, is not alleged to be at issue in this action.

REQUEST FOR ADMISSION NO. 96:

Admit that *Flashmob* by Christopher Farnsworth was included in a dataset used to train Your large language models.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 96:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term “large language models” as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’ allegedly copyrighted works. Meta construes the term “large language models” to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

Meta further objects to this Request on the ground that it is unduly burdensome for Meta to determine whether the datasets used to train Meta’s large language models (as construed above) contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

1 of a third party database that is equally accessible to Plaintiffs for every word of any particular
2 work. Meta further object to this Request to the extent that it presumes that the referenced author
3 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
4 control.

5 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
6 admits that text from a published and commercially-available version of *Flashmob* is included in a
7 dataset used to train Meta’s large language models, as that term is construed above. Except as
8 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
9 and on that basis denies it.

10 **REQUEST FOR ADMISSION NO. 97:**

11 Admit that *Deep State: A Nathaniel Cade Story* by Christopher Farnsworth was included in
12 a dataset used to train Your large language models.

13 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

14 Meta incorporates by reference its Objections to Instructions and Definitions, which are
15 applicable to this Request. Meta further objects to the term “large language models” as vague,
16 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
17 the needs of the case to the extent that it purports to include large language models that were not
18 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
19 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
20 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
21 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on
22 the ground that the referenced work, *Deep State: A Nathaniel Cade Story*, is not alleged to be at
23 issue in this action.

24 **REQUEST FOR ADMISSION NO. 98:**

25 Admit that you used books sourced from Books3 to train one or more of your large language
26 models.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 98:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to this Request and vague, ambiguous, and unintelligible, as written. It is not clear to Meta what it means to use “books sourced from Books3.” Meta further objects to the term “large language models” as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’ allegedly copyrighted works. Meta construes the term “large language models” to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

Subject to and without waiving the foregoing objections, Meta responds as follows: As written, Meta does not understand this Request and, on that basis, denies the Request. Meta is willing to meet and confer to understand how to interpret this Request.

Dated: December 13, 2024

COOLEY LLP

By: /s/Judd Lauter

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.'S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS FOR ADMISSIONS**



(BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

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